

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 8-13 and 15 are pending in this application. Claims 8-11 and 13 are amended. Support for this amendment is provided throughout the Specification.

It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. REQUEST FOR REFORMULATION OF RESTRICTION REQUIREMENT**

Applicants submit that Group III claims and Group II claims, after this amendment, form a combination similar as those described in MPEP 806.05(a)(I), which states:

#### **I. SUBCOMBINATION ESSENTIAL TO COMBINATION**

*ABsp/Bsp No Restriction*

Where a combination *as claimed* requires< the details of \*>a< subcombination *as separately claimed*, there is >usually< no evidence that combination ABsp is patentable without the details of Bsp. The inventions are not distinct and a requirement for restriction must not be made or maintained, even if the subcombination has separate utility. This situation can be diagrammed as combination ABsp ("sp" is an abbreviation for "specific"), and subcombination Bsp. Thus the specific characteristics required by the subcombination claim Bsp are also

required by the combination claim. >See MPEP § 806.05(d) for situations where two or more subcombinations are separately claimed.<

Group III claims, which include claims 12 and 15, are amended to include the melting bath and the heater as recited in Group II claims. Therefore, Applicants respectfully request a reformulation of the restriction requirement and an examination of Group III claims.

### **III. OBJECTIONS**

The Specification was objected to due to informalities. Applicants submit that the Specification is amended, thereby obviating the objections.

Claim 11 was objected to due to informalities. Applicants submit that Claim 11 is amended, thereby obviating the objections.

### **IV. REJECTIONS UNDER 35 U.S.C. §112 AND §103(a)**

Claims 8-12 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite.

Claims 8-12 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2004/0211816 to Ogawa (hereinafter, merely “Ogawa”) and in view of U.S. Patent No. 3,838,514 to Fujioka et al. (hereinafter, merely “Fujioka”) and further in view of U.S. Patent No. 5,376,188 to Tahara et al. (hereinafter, merely “Tahara”).

## V. RESPONSE TO REJECTIONS

### A. Response To Rejections Under 35 U.S.C. §112

Claims 8-12 are amended, thereby obviating the rejections.

### B. Response To Rejections Under 35 U.S.C. §103(a)

Claim 8 recites, *inter alia*:

**wherein the nitride-reformed layer includes chromium and nitrogen as their solid solutions, but excludes chromium compound.** (emphasis added)

Applicants respectfully submit that Ogawa, Fujioka, and Tahara, taken either alone or in combination, fail to disclose or render predictable the above-identified features of claim 8. Specifically, nothing is found that teaches or discloses or renders predictable “**wherein the nitride-reformed layer includes chromium and nitrogen as their solid solutions, but excludes chromium compound,**” as recited in claim 8.

The Office Action (see page 6 of the Office Action) concedes that Ogawa fails to disclose the above-identified features of claim 8 and relies on the nitride layer of Tahara for the rejection. Applicants respectfully disagree.

Applicants first submit that the term “nitride” is always used to describe a compound formed partially by nitrogen. Tahara, in column 2, lines 25-30 as cited by the Office Action, also explicitly concedes that “a nitride layer having superior anti-corrosion property can be formed because amorphous chrome nitride is produced therein.” Applicants submit that Tahara’s nitride layer is a chrome compound that is in direct contrast with “wherein the nitride-reformed layer includes **chromium and nitrogen as their solid solutions, but excludes chromium compound**,” as recited in claim 8.

Therefore, for at least the foregoing reasons, Applicants respectfully submit that claim 8 is patentable.

Claim 13, which recites similar limitations with claim 8, is also patentable for similar reasons.

As nothing in the prior art cited in the Office Action cures the above-identified deficiencies, Applicants respectfully request reconsideration and withdrawal of the rejections.

## **VI. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. As nothing in the prior art cited in the Office Action cures the above-identified deficiencies, Applicants respectfully request reconsideration and withdrawal of the rejections. As each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

## **CONCLUSION**

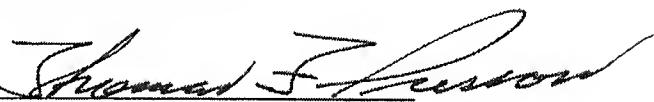
Because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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